

AGENDA

BOARD OF MAYOR AND ALDERMEN

October 2, 2007

7:30 PM

**Aldermanic Chambers
City Hall (3rd Floor)**

1. Mayor Guinta calls the meeting to order.
2. The Clerk calls the roll.
3. Welcoming ceremony for Mayor Jane Ward and delegation from the Rhondda Valley in Wales.
4. Swearing in presentation of Mrs. Georgie Reagan as Honorary Chairman of the Arts Commission.
5. Discussion with representatives of the Manchester School District relating to whether or not the School District has considered placing their health insurance benefits out to bid.

CONSENT AGENDA

6. Mayor Guinta advises if you desire to remove any of the following items from the Consent Agenda, please so indicate. If none of the items are to be removed, one motion only will be taken at the conclusion of the presentation.

Ratify and Confirm Poll Conducted

- A. On September 13, 2007 approving a public hearing be held on October 2, 2007 relative to an application for a Community Revitalization Tax Relief Incentive for property located at 20 Concord Street (aka Map 9, Lot 12) pursuant to RSA 79-E.

Accept BMA Minutes

- B.** Minutes of a meeting of the Board of Mayor and Aldermen held on June 5, 2007.

(Note: available for viewing at the Office of the City Clerk and forwarded under separate cover to Mayor and Aldermen.)

Pole Petitions – Approve under the supervision of the Department of Highways

- C.** PSNH Pole Petition #11-1168 located on Pine Street
PSNH Pole Petition #11-1172 located on Brown Avenue/River Bend
PSNH Pole Petition #11-1173 located on John Devine Drive

Sidewalk Petitions (50/50 Program FY2007) – Approve subject to the availability of funding

- D.** Communication from Jay Davini, Public Utilities Coordinator, requesting approval of sidewalk petitions.

Informational – to be Received and Filed

- E.** Manchester Health Department Monthly Report Summary, September 2007.
- F.** Minutes of the Mayor's Utility Coordinating Committee meeting held August 15, 2007.
- G.** Minutes of the MTA Commission meeting held on July 31, 2007 and the Financial and Ridership Reports for July 2007.
- H.** Communication from School Committee Members Kruse and Beaudry requesting the Board reject the proposal to locate Corcoran's recycling facility at the Brown Avenue Industrial Park.
- I.** Communication from the Johnson and Ogden Families expressing their gratitude for your expressions of sympathy during their recent loss.

- J.** Communication from Comcast submitting their second quarter of 2007 franchise fee payment in the amount of \$341,197.90.

REFERRALS TO COMMITTEES

COMMITTEE ON FINANCE

K. Resolutions:

“Amending the FY2001 and FY2003 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Two Hundred Fifty Thousand Dollars (\$250,000) for the 2001 CIP 740001 CSO Abatement Projects.”

“Amending the FY2007 Community Improvement Program, authorizing and appropriating funds in the amount of Twenty Five Thousand Dollars (\$25,000) for the FY2007 CIP 210007 HIV Counseling & Testing.”

“Amending the FY2008 Community Improvement Program, authorizing and appropriating funds in the amount of Twenty Seven Thousand Six Hundred Sixty Six Dollars (\$27,666) for the 2008 CIP 213908 Manchester Multi-Lingual Asthma Education and Outreach Program.”

“Amending the FY2008 Community Improvement Program, authorizing and appropriating funds in the amount of Ten Thousand Dollars (\$10,000) for the FY2008 CIP 411708 Firesafe Intervention Program.”

“Amending the FY2008 Community Improvement Program, authorizing and appropriating funds in the amount of Twenty Thousand Dollars (\$20,000) for the 2008 CIP 511808 Recreational Improvements Fund Project.”

REPORTS OF COMMITTEES

COMMITTEE ON ACCOUNTS, ENROLLMENT AND REVENUE ADMINISTRATION

- L.** Advising that it has ratified and confirmed the poll conducted on August 23, 2007 approving conference reimbursement for Frank Thomas and Fred McNeill at the NEWEA Conference held in Boston, MA from January 21-24, 2007.
(Unanimous vote with the exception of Alderman Thibault who was absent.)
- M.** Advising that it has accepted the City's Monthly Financial Statements (unaudited) for the two months ended August 31, 2007 and is forwarding same to the Board for information purposes.
(Note: available for viewing at the Office of the City Clerk and previously forwarded to the Mayor and Aldermen.)
(Unanimous vote with the exception of Alderman Thibault who was absent.)
- N.** Advising that it has accepted the following Finance Department reports:
- a) department legend;
 - b) open invoice report over 90 days by fund;
 - c) open invoice report all invoices for interdepartmental billings only;
 - d) open invoice report all invoices due from the School Department only;
 - e) listing of invoices submitted to City Solicitor for legal determination; and
 - f) accounts receivable summary
- and is forwarding same to the Board for information purposes.
(Note: available for viewing at the Office of the City Clerk and previously forwarded to the Mayor and Aldermen.)
(Unanimous vote with the exception of Alderman Thibault who was absent.)
- O.** Recommending that an Agreed Upon Procedures audit of the financing related to the Riverfront Development project be obtained from an independent accounting firm to determine if taxpayer monies have been used to pay debt services.
(Unanimous vote with the exception of Alderman Thibault who was absent.)

COMMITTEE ON BILLS ON SECOND READING

P. Recommending that Zoning Ordinance:

“Amending the Zoning Ordinances of the City of Manchester by extending the Neighborhood Business District (B-1) into an area currently zoned Urban Multifamily District (R-3), being a portion of Tax Map 178, Lot 12 with an address of 438 Dubuque Street and abutting Amory Street. A majority of the property is currently zoned R-3 and the petition would extend the B-1 to include the entire lot.”

ought to pass.

(Unanimous vote.)

COMMITTEE ON COMMUNITY IMPROVEMENT

Q. Recommending that amending resolutions and budget authorizations for projects be approved as follows:

210007 HIV Counseling & Testing - \$25,000

213908 Manchester Multi-Lingual Asthma Education and Outreach
Program - \$27,666

411708 Firesafe Intervention Program - \$10,000

511808 Recreational Improvements Fund Project - \$20,000

and for such purposes resolutions and budget authorizations have been submitted.

(Unanimous vote.)

R. Recommending that fund transfers revising the Cohas Phase 2 and CSO projects be granted and approved and for such purpose budget authorizations and an amending resolution have been submitted.

(Unanimous vote.)

S. Recommending that funds be appropriated to purchase radio equipment for the Police Department. The Committee notes that it has requested the Director of Planning and Community Development, Finance Officer, and the Mayor to make recommendations to the Board regarding funding this request at the October 16th meeting of the Board.

(Unanimous vote.)

**LADIES AND GENTLEMEN, HAVING READ THE CONSENT AGENDA,
A MOTION WOULD BE IN ORDER THAT THE CONSENT AGENDA BE
APPROVED.**

7. Nominations to be presented by Mayor Guinta, if available.
8. Report of the Committee on Community Improvement recommending that a request of the Police Department to purchase the following:
- Two four-wheeled ATV's, a trailer, helmets and two GPS units at an approximate cost of \$12,000;
 - Three traffic counters at a cost of \$8,250; and
 - One radar speed trailer at a cost of \$7,000
- be approved. The Committee notes that it has requested the Planning and Community Development Director to recommend a source of funding at the October 2nd meeting of the Board.

(Unanimous vote.)

Ladies and Gentlemen, what is your pleasure?

9. Report of the Committee on Community Improvement recommending that a request for funding to relocate the AmeriCorps VISTA Program to the Rines Center be approved at a cost of up to \$13,200. The Committee has requested that a source of funding be presented by the Planning and Community Development Director at the October 2nd meeting of the Board.

(Unanimous vote.)

Ladies and Gentlemen, what is your pleasure?

10. Communication from Karen DeFrancis, School District Business Administrator, inquiring as to the status of the approval of the bond resolution for the MST (Manchester School of Technology) Renovation project noting it is the School District' desire to have the project approved immediately so that construction plans and bidding process can be completed by spring.

Ladies and Gentlemen, what is your pleasure?

11. Mayor Guinta advises that a motion is in order to recess the regular meeting to allow the Committee on Finance to meet.
12. Mayor Guinta calls the meeting back to order.

OTHER BUSINESS

13. Report(s) of the Committee on Finance, if available.
Ladies and Gentlemen, what is your pleasure?
14. Report of the Committee on Public Safety, Health and Traffic, if available.
Ladies and Gentlemen, what is your pleasure?
15. Consideration of a Community Revitalization Tax Relief Incentive application for property located at 20 Concord Street (AKA Map 9, Lot 12).
Ladies and Gentlemen, what is your pleasure?
16. Ordinances: **(A motion is in order to read by titles only.)**

“Amending the Zoning Ordinances of the City of Manchester by extending the Neighborhood Business District (B-1) into an area currently zoned Urban Multifamily District (R-3), being a portion of Tax Map 178, Lot 12 with an address of 438 Dubuque Street and abutting Amory Street. A majority of the property is currently zoned R-3 and the petition would extend the B-1 to include the entire lot.”

“An Ordinance amending the Ordinances of the City of Manchester relating to dog fouling by amending Section 38.06 by deleting the fines related to Code Section 90.04 and replacing them with the following new fines:”

These Ordinances having had their second reading by titles only, the question is on passing same to be Enrolled.
17. Mayor Guinta advises that a motion is in order to recess the regular meeting to allow the Committee on Accounts, Enrollment and Revenue Administration to meet.
18. Mayor Guinta calls the meeting back to order.

19. Report(s) of the Committee on Accounts, Enrollment and Revenue Administration, if available.

Ladies and Gentlemen, what is your pleasure?

20. Communication from Kevin Buckley, Independent City Auditor, advising that after his analysis an audit of the Riverfront Development project will not give the Board any further information or confidence and would be an unwise use of city funds.

Ladies and Gentlemen, what is your pleasure?

21. Communication from Virginia Lamberton, Human Resources Director, submitting a health insurance update.

Ladies and Gentlemen, what is your pleasure?

22. Communication from Virginia Lamberton, Human Resources Director, on behalf of the Quality Council, recommending an award of \$500 to Ms. Colleen Driscoll, Police Payroll Coordinator for her suggestion submitted to the Bright Ideas Program.

Ladies and Gentlemen, what is your pleasure?

23. Ordinances: **(A motion is in order to read by titles only.)**

“Amending the Zoning Ordinances of the City of Manchester by extending the Neighborhood Business District (B-1) into an area currently zoned Urban Multifamily District (R-3), being a portion of Tax Map 178, Lot 12 with an address of 438 Dubuque Street and abutting Amory Street. A majority of the property is currently zoned R-3 and the petition would extend the B-1 to include the entire lot.”

“An Ordinance amending the Ordinances of the City of Manchester relating to dog fouling by amending Section 38.06 by deleting the fines related to Code Section 90.04 and replacing them with the following new fines:”

These Ordinances having had their third and final reading by titles only, the question is on passing same to be Ordained.

24. Resolutions: (A motion is in order to read by titles only.)

“Amending the FY2001 and FY2003 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Two Hundred Fifty Thousand Dollars (\$250,000) for the 2001 CIP 740001 CSO Abatement Projects.”

“Amending the FY2007 Community Improvement Program, authorizing and appropriating funds in the amount of Twenty Five Thousand Dollars (\$25,000) for the FY2007 CIP 210007 HIV Counseling & Testing.”

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“Amending the FY2008 Community Improvement Program, authorizing and appropriating funds in the amount of Twenty Thousand Dollars (\$20,000) for the 2008 CIP 511808 Recreational Improvements Fund Project.”

If the Board so desires, a motion is in order that the Resolutions pass and be enrolled.

TABLED ITEMS

A motion is in order to remove any of the following from the table for discussion.

- 25.** Report of the Committee on Bills on Second Reading recommending that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district to include property currently zoned IND (Industrial) located on the south side of Gold Street east of the former Lawrence Branch of the B&M Railroad and including the following three lots Tax Map 875-14, 875-15, 875-16.”

ought to pass.

*(Aldermen Duval, Lopez, Garrity and Pinard recorded in favor; Alderman Gatsas opposed.)
(Tabled 09/05/2006)*

- 26.** Report of the Committee on Bills on Second Reading recommending that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the R-3 (Urban Multi-family) zoning district to include property currently zoned R-1B (Single-family) located on a portion of Tax Map 691 Lot 143-1 that will be on the north side of a proposed Gold Street Bypass and adjacent to Bradley Street and the New St. Augustin’s Cemetery.”

ought to pass.

*(Aldermen Duval, Lopez, Garrity and Pinard recorded in favor; Alderman Gatsas opposed.)
(Tabled 09/05/2006)*

- 27.** Report of the Committee on Community Improvement advising that it has requested staff to prepare documents to provide that the City agree to extend the term on the 2nd mortgage relating to Lowell Terrace Associates property located at the northwest corner of Lowell and Chestnut Streets to coincide with the expiration of the existing first mortgage in 2013.
- (Unanimous vote)
(Tabled 05/15/2007. Additional materials provided by Finance enclosed.)*

- 28.** A Majority report of the Committee on Bills on Second Reading recommending that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the General Business District (B-2) into an area currently zoned Residential One Family District (R-1B), being a portion of Tax Map 381, Lot 47 with an address of 466 South Willow Street and abutting South Lincoln, South Willow and Parkview Streets. A majority of the property is currently zoned B-2 and the petition would extend the B-2 to include the entire lot.”

be denied at this time.

The Committee notes that the business owner should work with the neighborhood and may return with a petition after addressing issue as noted in a communication from Alderman Garrity enclosed herein.

(Aldermen Garrity, Pinard and Duval in favor. Aldermen Lopez and Gatsas opposed.)

(Tabled 06/05/2007)

- A Minority report of the Committee on Bills on Second Reading recommending that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the General Business District (B-2) into an area currently zoned Residential One Family District (R-1B), being a portion of Tax Map 381, Lot 47 with an address of 466 South Willow Street and abutting South Lincoln, South Willow and Parkview Streets. A majority of the property is currently zoned B-2 and the petition would extend the B-2 to include the entire lot.”

ought to pass.

The minority advises that the proposed zoning, in its opinion, is consistent with the highest and best use of the property and that neighborhood concerns can be best addressed through the development process at the Planning Board level, therefore, that such rezoning should be considered subject to the Planning Board approving any plans for development of the property.

S/Alderman Lopez

(Tabled 06/05/2007)

(Note: additional communications from Alderman Garrity and petitions enclosed.)

29. NEW BUSINESS

- a) Communications
- b) Aldermen

30. If there is no further business, a motion is in order to adjourn.